



# *The Commonwealth of Massachusetts*

## *Office of Campaign & Political Finance*

*One Ashburton Place, Boston 02108*

727-8352

March 30, 1988

AO-88-11

*Dennis J. Duffin*  
*Director*

Eleanor Flaherty-Kasper, Treasurer  
Committee to Re-Elect  
Michael F. Flaherty  
546 East Broadway  
South Boston, MA 02133

Dear Ms. Flaherty-Kasper:

This letter is response to your recent request for an advisory opinion.

You have stated that the Committee to Re-Elect Michael F. Flaherty has leased a post office box in the United States Post Office facility located in the sub-basement of the Massachusetts State House.

Section 14 of M.G.L. c.55 states in pertinent part:

"No person shall in any building or part thereof occupied for state, county or municipal purposes demand, solicit or receive any payment or gift of money or other thing of value for the purposes set forth in section thirteen."

Section 13 defines such purposes as "the political campaign purposes of any candidate for public office or of any political committee, or for any political purpose whatever..."

It is the opinion of this office that although the United States Post Office facility is housed within a state building, it is clearly not used for state, county or municipal purposes but rather for the purposes of the United States Post Office. Therefore the prohibitions contained in Section 14 would not be applicable to a post office box leased from the United States Post Office.

The prohibitions of section 14 would continue to apply to the Committee to Re-Elect Michael F. Flaherty in other parts of the State House which are used for state purposes, however. For example, an agent of the Committee would not be permitted to collect mail containing political contributions from the United States Post Office facility in the basement of the State House and transport it to the Representative's office in another part of the State House. In addition, the prohibitions against public employees soliciting or receiving political contributions contained in section 13 of M.G.L. c.55 would preclude state employees from collecting any mail containing political contributions from the post office box.

Please do not hesitate to contact this office if you have additional questions.

Very truly yours,

*Dennis J. Duffin*  
Dennis J. Duffin  
Director